

106TH CONGRESS  
1ST Session

# H. R. 2454

---

## AN ACT

To assure the long-term conservation of mid-continent light geese and the biological diversity of the ecosystem upon which many North American migratory birds depend, by directing the Secretary of the Interior to implement rules to reduce the overabundant population of mid-continent light geese.

106TH CONGRESS  
1ST SESSION

# **H. R. 2454**

---

## **AN ACT**

To assure the long-term conservation of mid-continent light geese and the biological diversity of the ecosystem upon which many North American migratory birds depend, by directing the Secretary of the Interior to implement rules to reduce the overabundant population of mid-continent light geese.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Arctic Tundra Habitat  
5       Emergency Conservation Act”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—The Congress finds the following:

8               (1) The winter index population of mid-con-  
9               tinent light geese was 800,000 birds in 1969, while  
10              the total population of such geese is more than  
11              5,200,000 birds today.

12             (2) The population of mid-continent light geese  
13             is expanding by over 5 percent each year, and in the  
14             absence of new wildlife management actions it could  
15             grow to more than 6,800,000 breeding light geese in  
16             3 years.

17             (3) The primary reasons for this unprecedented  
18             population growth are—

19                (A) the expansion of agricultural areas and  
20                the resulting abundance of cereal grain crops in  
21                the United States;

22                (B) the establishment of sanctuaries along  
23                the United States flyways of migrating light  
24                geese; and

25                (C) a decline in light geese harvest rates.

1           (4) As a direct result of this population explo-  
2           sion, the Hudson Bay Lowlands Salt-Marsh eco-  
3           system in Canada is being systematically destroyed.  
4           This ecosystem contains approximately 135,000  
5           acres of essential habitat for migrating light geese  
6           and many other avian species. Biologists have testi-  
7           fied that one-third of this habitat has been de-  
8           stroyed, one-third is on the brink of devastation, and  
9           the remaining one-third is overgrazed.

10          (5) The destruction of the Arctic tundra is hav-  
11          ing a severe negative impact on many avian species  
12          that breed or migrate through this habitat, including  
13          the following:

- 14               (A) Canada Goose.
- 15               (B) American Wigeon.
- 16               (C) Dowitcher.
- 17               (D) Hudsonian Godwit.
- 18               (E) Stilt Sandpiper.
- 19               (F) Northern Shoveler.
- 20               (G) Red-Breasted Merganser.
- 21               (H) Oldsquaw.
- 22               (I) Parasitic Jaeger.
- 23               (J) Whimbrel.
- 24               (K) Yellow Rail.

1           (6) It is essential that the current population of  
2           mid-continent light geese be reduced by 50 percent  
3           by the year 2005 to ensure that the fragile Arctic  
4           tundra is not irreversibly damaged.

5           (b) PURPOSES.—The purposes of this Act are the fol-  
6           lowing:

7           (1) To reduce the population of mid-continent  
8           light geese.

9           (2) To assure the long-term conservation of  
10          mid-continent light geese and the biological diversity  
11          of the ecosystem upon which many North American  
12          migratory birds depend.

13 **SEC. 3. FORCE AND EFFECT OF RULES TO CONTROL OVER-**  
14 **ABUNDANT MID-CONTINENT LIGHT GEESE**  
15 **POPULATIONS.**

16          (a) FORCE AND EFFECT.—

17          (1) IN GENERAL.—The rules published by the  
18          Service on February 16, 1999, relating to use of ad-  
19          ditional hunting methods to increase the harvest of  
20          mid-continent light geese (64 Fed. Reg. 7507–7517)  
21          and the establishment of a conservation order for  
22          the reduction of mid-continent light goose popu-  
23          lations (64 Fed. Reg. 7517–7528), shall have the  
24          force and effect of law.

1           (2) PUBLIC NOTICE.—The Secretary, acting  
2           through the Director of the Service, shall take such  
3           action as is necessary to appropriately notify the  
4           public of the force and effect of the rules referred  
5           to in paragraph (1).

6           (b) APPLICATION.—Subsection (a) shall apply only  
7           during the period that—

8                 (1) begins on the date of the enactment of this  
9           Act; and

10                (2) ends on the latest of—

11                        (A) the effective date of rules issued by the  
12                        Service after such date of enactment to control  
13                        overabundant mid-continent light geese popu-  
14                        lations;

15                        (B) the date of the publication of a final  
16                        environmental impact statement for such rules  
17                        under section 102(2)(C) of the National Envi-  
18                        ronmental Policy Act of 1969 (42 U.S.C.  
19                        4332(2)(C)); and

20                        (C) May 15, 2001.

21           (c) RULE OF CONSTRUCTION.—This section shall not  
22           be construed to limit the authority of the Secretary or the  
23           Service to issue rules, under another law, to regulate the  
24           taking of mid-continent light geese.

1 **SEC. 4. DEFINITIONS.**

2 In this Act:

3 (1) MID-CONTINENT LIGHT GEESE.—The term  
4 “mid-continent light geese” means Lesser snow  
5 geese (*Anser caerulescens caerulescens*) and Ross’  
6 geese (*Anser rossii*) that primarily migrate between  
7 Canada and the States of Alabama, Arkansas, Colo-  
8 rado, Illinois, Indiana, Iowa, Kansas, Kentucky,  
9 Louisiana, Michigan, Minnesota, Mississippi, Mis-  
10 souri, Montana, Nebraska, New Mexico, North Da-  
11 kota, Ohio, Oklahoma, South Dakota, Tennessee,  
12 Texas, Wisconsin, and Wyoming.

13 (2) SECRETARY.—The term “Secretary” means  
14 the Secretary of the Interior.

15 (3) SERVICE.—The term “Service” means the  
16 United States Fish and Wildlife Service.

Passed the House of Representatives August 2,  
1999.

Attest:

*Clerk.*